

**LAHIVE  
&  
COCKFIELD**  
L L P

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-  
1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1987)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DECONTINIS  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CAMPING  
JANE E. REMILLARD  
DEANN FORAN SMITH  
PETER C. LAURO  
JEANNE M. D'GIORGIO  
DEBRA J. MILASINIC, Ph.D.  
DAVID J. RUKERS  
DAVID R. BURNS  
JOHN S. CURRAN  
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.  
MEGAN E. WILLIAMS, Ph.D.  
RICHA NAND  
MICHAEL PHILLIPPS  
LISA M. DIROCCO  
MATHAWAY P. RUSSELL  
MARIA LACOOTRIPE ZACHARANS, Ph.D.  
PETER A. DMATTIA  
VINCENT P. LOCCSANO  
MERIDETH C. ARNOLD

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.  
SIBILEY P. REPPERT

PATENT AGENTS  
THEODORE R. WEST  
SHAYNE Y. RUFF, Ph.D.  
DANIEL B. KO

TECHNICAL SPECIALISTS  
CYNTHIA M. SOROOS  
PETER W. DIM, Ph.D.  
ELIHOO LEE  
JENNIFER K. ROSENFELD  
ALLAN TAMESHTIT, Ph.D.  
CATHERINE E. McPHERSON  
ERIC F. WAGNER, Ph.D.  
SHAMID HASAN, Ph.D.  
JACOB G. WEINTRAUB  
JONATHAN M. SPARKS, Ph.D.  
CRISTIN E. HOWLEY, Ph.D.

\* Admitted in NY only  
\*\* Admitted in TX only

## Facsimile Cover Sheet

**To:** Paula Kidwell  
**Company:** U.S. Patent Office  
**Location:** Washington DC  
**Phone:** 703-305-3656  
**Fax:** 703-746-6707

**From:** Lynn Hall for Anthony A.  
Laurentano  
**Phone:** (617) 994-0737  
**Fax:** (617) 742-4214  
**Case No.:** USSN 10/089,922  
**Our Ref.** FHW-102US

**Date:** 07/30/02  
**Sent By:** lgh  
**Pages including this  
cover page:** 4

**Message:** Dear Paula:

As you requested today in our phone conversation,  
enclosed is a copy of the IPER recently received in the above-  
referenced Chap II case. If you need anything further, please  
give me a call.

Lynn Hall for Anthony A. Laurentano

The documents transmitted by this facsimile are intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us at the above address via the U.S. Postal Service. Thank you

## PATENT COOPERATION TREATY

US SN 10/089,922

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

LOCK, Graham J.  
Fry Heath & Spence  
The Old College  
53 High Street  
Horley, Surrey RH6 7BN  
GRANDE BRETAGNE

RECEIVED

4 - JUL 2002

HORLEY

NOTIFICATION OF TRANSMITTAL OF  
INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing  
(day/month/year)

02/07/2002

Applicant's or agent's file reference

P57832L

IMPORTANT NOTIFICATION

International application No.

PCT/GB 00/03792

International filing date (day/month/year)

04/10/2000

Priority date (day/month/year)

04/10/1999

Applicant

ISIS INNOVATION LTD. et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

## 4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPFA/

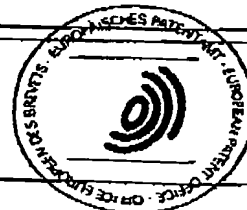


European Patent Office  
D-80298 Munich  
Tel. (+49-89) 2399-0, Telex 523656 epmu d  
Fax. (+49-89) 2399-4465

Authorized officer

BENZLER A

Tel. (+49-89) 2399 2828



Form PCT/IPFA/416 (July 1992) P20473

# PATENT COOPERATION TREATY

# PCT


## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

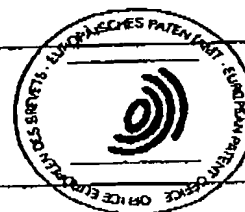
Applicant's or agent's file reference <b>P57832L</b>	<div style="text-align: center;">FOR FURTHER ACTION</div> <div style="text-align: right; font-size: small;">See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)</div>	
International application No. <b>PCT/GB 00/ 03792</b>	International filing date (day/month/year) <b>04/10/2000</b>	Priority date (day/month/year) <b>04/10/1999</b>
International Patent Classification (IPC) or national classification and IPC <b>A61K47/48</b>		
Applicant <b>ISIS INNOVATION LTD. et al.</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This **REPORT** consists of a total of 2 sheets, including this cover sheet.  
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
 These annexes consists of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:
  - ☒ Basis of the report
  - ☐ Priority
  - ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - ☐ Lack of unity of invention
  - ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - ☐ Certain documents cited
  - ☐ Certain defects in the international application
  - ☐ Certain observations on the international application

Date of submission of the demand <b>19/01/2001</b>	Date of completion of this report <b>27/06/2002</b>
Name and mailing address of the IPFA/  European Patent Office D-80298 Munich Tel. (+49-89) 2399-0, Tx 523n56 eprmu d Fax (+49-89) 2399-4465	Authorized officer <b>MEYLAERTS H</b> Tel (+49-89) 2399 2828

Form PCT/IPFA/409 (cover sheet) (July 1998)



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No PCT/GB 00/03792

**I. Basis of the report**

The basis of this international preliminary examination is the application as originally filed.

**III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

The question of whether the claimed invention appears to be novel, to involve an inventive step, or to be industrially applicable has not been the subject of the international preliminary examination in respect of the claims which have not been searched (Article 17(2)(a) or (3) and Rule 66.1(e) PCT); see also international search report).

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability**

To the extent that the international preliminary examination has been carried out (see item III above), the following is pointed out:

In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims, which have been the subject of an international search report, does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claim references).